

BROWN'S STATEMENT STRICKEN FROM THE RECORD

Senators Get Mad Once Again.

THE proceedings of yesterday, as well as those of the day before, in the Senate will go down in history as a blot upon the dignity of that body. Nearly all of the day was spent in argument concerning the obliteration from the minutes of the Brown-Russel incident, and finally ended in the statement made by Cecil Brown in his own defense being expunged from the record by order of the chair.

Many heated speeches were made and on several occasions personalities were indulged in between the irate Senators. Twice during the day did the Home Rulers give evidence of their power and show how competely they hold the minority in their clutches; first, by defeating the motion made by Brown, in regard to the number of days the secretary had recorded for sessions held by that body, and second, when the motion of White was called in the Brown-Russel affair.

Carter and the president engaged in a war of words and for a few minutes it looked as though the disgraceful scene of the day before would be repeated, but moderation prevailed and the impending storm passed away.

SENATE HAS HOT DEBATE

The Independents Win the Final Point.

EARLY an hour was spent in reading and translating the minutes of the Senate yesterday morning and the first argument ensued to the statement of the secretary that yesterday was the twelfth day of the Senate. Brown maintained that the two days spent in Molokai should be counted also, making the time appear fourteen days. Many arguments pro and con were indulged in and no motion appearing, the chair ruled the count as kept by the secretary to be right.

Senator Kalue moved that the explanation of Cecil Brown which was spread on the records of the Senate on Wednesday be expunged from the records.

Cecil Brown took the floor and delivered himself of the following oration:

"I do not know of any other country in the world where the right of a Senator to rise and state a question of privilege has been denied. This will be the first time it has ever been done."

He then compared the proceedings of the Senate to the trial of a criminal before a judge and the right to defend himself being denied.

Continuing, he said, "If there was to be any objection at all it should have been made yesterday. The right of rising to a question of privilege is accorded to anyone. The only time a correction should be made in the minutes is when the facts are not correct."

"If this body continues doing acts of this kind and at the sweet will of any member are going to wipe out any part of the minutes they wish, they might just as well wipe out the whole thing and have nothing at all. The Senator of Maui seems to regard with fear the fact that the minutes will go to Washington and that he might be criticised as a member of the committee on rules which I say were not administered in accordance with their true intent and spirit."

Brown then wanted the chair to rule whether a member of the Senate or a majority of that body could wipe out any part of the minutes when statements are made, especially when they were correct, as all conceded his to be.

Kalue explained that he had not tried to voice the sentiments of the Senate, but had simply expressed his personal opinion.

Achi claimed that the motion was directly against section 69 of the Organic Act, which particularly states that all proceedings of the Legislature shall be sent on to Washington.

Kalue again arose to his feet and expressed his sorrow that he should be compelled to speak against Mr. Brown and was told by Mr. Brown that he could keep his sympathy to himself.

Mr. Baldwin stated that all the proceedings of the Legislature were going on to Washington and that he was very sorry the matter had come up, as now the whole discussion would also have to go on to Washington and he

was afraid that the Senate would be placed in a very foolish light.

A recess until 1:30 p. m. was then taken by the Senate.

AFTERNOON SESSION.

Senator Kalauokalani addressed the House in regard to expunging the explanatory speech of Cecil Brown from the minutes of the Senate and said: "It seems to be the wish of the minority to permit it to remain a part of the records. A motion was made by the Senator from Waikiki to expunge it from the records, and I would say that we are obliged to send full record of our proceedings to Washington and it now devolves upon us by our action to make the speech a part of our records."

"Every member though has a right to take exception to any portion of the minutes and I wish to support the motion. I therefore move that an aye and no vote be taken."

Brown stated that if the majority insisted upon this it was only another evidence of "gag law." "Whenever anything of importance takes place here," he said, "the majority carries a motion to adjourn. When we meet again they are pretty certain of how things will go."

"Since the House adjourned this morning I have looked into the matter and find that once before in the history of legislative sessions in the United States has some part of the proceedings been expunged, and four or five years later it was again brought up. This was when President Jackson was a Senator."

"If the facts as stated here were not true, then, gentlemen, expunge them, but you know they were true, and being true they must remain on the records, and if the majority insist on expunging them they are not as honorable men as I thought they were."

"I call you to order," said President Russel, "I take exception to your remarks."

"I don't care so far as I am concerned, for I have had my say, and my remarks have gone out to the world. I only want my statement to remain on the records to protect the Senate," replied Brown.

Carter said that the whole question showed partisanship. "We are all liable here to say something in the heat of discussion which in more sober moments we would not have said," continued Carter, "but when a thing has been said or done it cannot be expunged."

"There was a difference here between a member and the chair, and the chair ruled against that member, but if the member's statement is struck out, then those who made the minutes will have a right to doubt the ruling of the chair, for they will only see one side of the story."

During the speech of Carter, Senator White sent a formidable looking volume to President Russel and that dignitary, after reading a marked passage, looked at White and gleefully clapped his hands and at first opportunity gave White the scat.

White remarked that considerable time had already been taken up in the discussion, but he wished to take exception to some remarks made. He spoke at some length in favor of the motion.

"The minority this morning," he said, "thought we were wrong in the position we assumed concerning the number of days which the Senate had convened, but I have here plenty of good authority supporting us in the stand we took. (Here the volume which he had sent to the president was produced and the joy manifested by him was made apparent.) We are equally firm in our opinion relating to this matter, and I now move to the previous question."

"Kokus," shouted the members of the Senate, all of them thoroughly tired of the debate.

The roll was then called and a vote of eight in favor of the original motion against five was recorded and the statement of Cecil Brown was ordered expunged from the minutes.

"Thank you," said Brown.

Carter moved that the clerk be instructed to have a few minor changes made in the rules and was carried.

The roll was then called and a vote of eight in favor of the original motion against five was recorded and the statement of Cecil Brown was ordered expunged from the minutes.

"You are willing to take advice from me now," said Kalue, "but a little while ago you would not listen to me."

"I am not through yet," said Brown, "and I move that the clerk be instructed to write 'expunged by order of the Senate' across the face of my statement of yesterday."

This motion was objected to by Senator White and resulted in the withdrawal of the motion by Brown.

White then moved that the minutes stand approved so far as the minutes in the handwriting of the secretary was concerned, and that the matter contained therein written by the stenographer as an account of the Brown statement be stricken out. The motion prevailed.

A communication from the lower House was read giving notice of the passing by that body of House bill 1, and also Act 1, and submitting the same to the Senate. The same were passed by order of the president.

White moved that the discussion of the bill be stopped and that same be

continued on Page 4.

Champions a Short Day.

ALTHOUGH Boss Emmeluth championed a bill for eight hours to constitute a day's work, yet it was Representative Robertson who won the glory of the day's achievements. In the measure providing that none but qualified voters and American citizens shall be employed upon public works, he arose to the occasion and not only succeeded in combating frivolous but unnecessary amendments to the bill, but after presenting an amendment at the morning session swept it aside with a substitute amendment in the afternoon which cleared the field of all others, and was adopted as a substitute to the original bill, which was, to use the parlance of the Legislature, "killed." The bill was considered the entire afternoon by the House as a committee of the whole, and among the able advocates of the bill was Beckley of Molokai. The latter made many sensible statements which had their effect in quelling an attempt on the part of many legislators to belittle the principle contained in the bill and reduce it to a bill to rectify personal grievances. The term "public works" was interpreted to include positions of teachers in the public schools, and it was feared the bill would deprive them of their livelihood.

DEBATE ON 8-HOUR DAY

Morning Session of the Lower House Lively.

IT WAS Boss Emmeluth's day in the House. This became apparent as soon as the eight-hour bill was brought up for consideration, and the plumb statesman took the floor as its champion. He made a forceful argument in its favor, and pointed a moral as to the future of the Islands unless American citizens and qualified voters had laws passed in their favor as a protection against cheap Asiatic labor.

Speaker Akina was also called on during the early portion of the morning session to make a ruling. Words had been flying about in wild abandon to the utter bewilderment of Interpreter Wise, and Beckley called the attention of the chair to this fact. Beckley arose to a point of order, qualifying it with the statement that the remarks of a member had not been interpreted. Speaker Akina quickly responded that point was not well taken.

"English is the legal language, his remarks were made in English, and no

breach of the law or etiquette of this House has been committed if they were not translated into the Hawaiian language."

Speaker Akina announced at the opening of yesterday's session of the House that Representative Wilcox was confined to his bed by serious illness, and would probably be unable to participate in the proceedings for a week.

After adopting the minutes of the preceding day, Paele sent a petition to the clerk which the latter read. It was from the Hawaiian Woman's Relief Society, praying for a special appropriation for carrying on its work among the needy. The petitioners said they were in dire distress for funds to carry on their charitable work, and humbly requested that the House give the matter full consideration. It was signed by B. M. A'en, Theresa F. Bowe, Minerva E. Fernandez, Lucy K.

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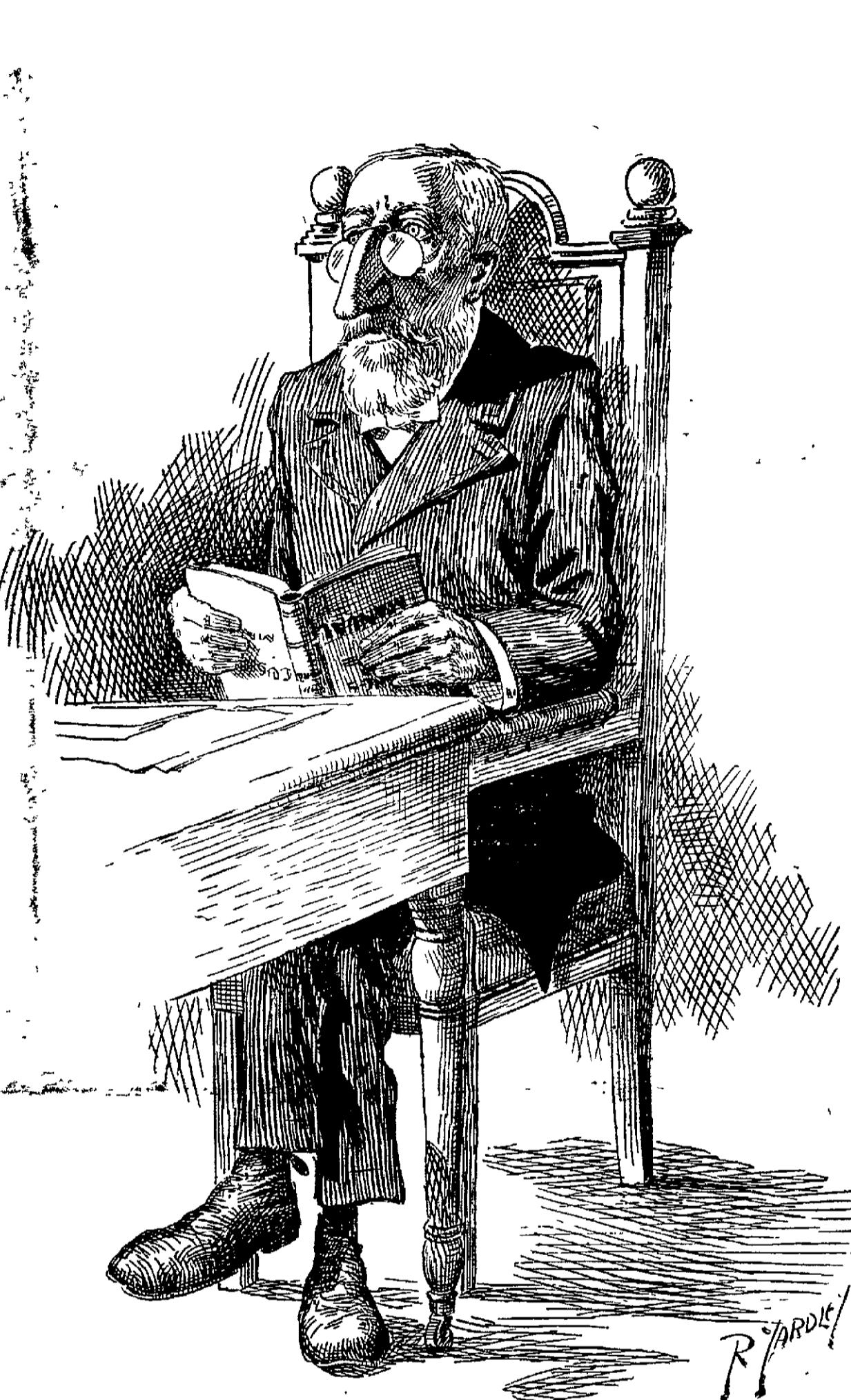
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PRESIDENT OF THE SENATE—Here's some fool has sent me a book on Parliamentary law. I dunno what we've got to do with Parliament. This ain't no British country.

REAR ADMIRAL BEARDSLEE TELLS OF HIS RECENT VISIT TO JAPAN

WASHINGTON, Feb. 16.—The Secretary of the Navy has received an interesting letter from Rear Admiral Lester A. Beardslee, U. S. N., retired, relating some of his experiences in Japan, whether he went to visit scenes in his early career as a naval officer with Commodore Perry, and to provide for marking the spot where Perry landed. He tells of a brief interview with the Emperor, and expresses gratification over the cordial manner in which he was treated by Japanese officials and the people of the higher circles. Admiral Beardslee's letter is dated Tokio, Japan, November 28, 1890. He says in part

It seems my duty, in which view Col. Buck, the United States Minister to Japan concurs, to bring to the attention of our Government the remarkable evidences of the friendly and cordial feelings entertained by the Japanese of all classes toward the United States as manifested in their treatment of me as a naval representative of my country.

I arrived in Tokio late in October last, traveling as a private citizen, and I brought no uniform with me but I did bring the prestige of my rank and still more that of survivor of the officers who served under Commodore M. C. Perry and was with him on his first visit to Japan in 1852. The name of Perry is a sacred one to the Japanese and his memory is revered.

"When the fact became generally known I was inundated with calls of ceremony and attention. All other events of my fifty years of professional service sank into insignificance when compared with the event of my having landed with Perry. Through the good offices of the United States Minister my existence was made known to the Emperor, who ex

pected to him. The party took place on November 12, and the United States Minister presented me also by special arrangement my sword. We were also presented to the Empress and quite a number of princes. The Emperor received me with marked and noticeable cordiality, grasping and shaking my hand three separate times, saying, 'I know about you Admiral, and your mission, and I kindly welcome you back to my country.' I afterward learned from one of the Cabinet officers that he had caused to be prepared and read to him the previous day an account in detail of my wandering in Japan. We were also made distinguished guests at the Imperial hall given in honor of the Emperor's birthday, November 2, and at the grand

parade and review by the Emperor of some 15,000 troops. On this occasion, by order of the Emperor, the use of a horse, with my wife I should be invited to the royal chrysanthemum party and there



view was offered to me, which offer I respectfully declined.

The significance of three events lies in the Japane law prescribes, upon presentation to the Emperor, and upon all ceremonial occasions when he shall take part or be present, all military and naval officers shall wear the full dress uniform of their rank. As I had no uniform to wear, the law was not acted in my behalf. A round of entertainments and festivities succeeded, usually generally by people of the highest social, political and business standing in the Japanese, which culminated on November 25 by a grand garden party.

The mission to which the Emperor referred is a self-imposed one. It is to make a effort to cause a little memorial mark to be placed at the spot where Perry first landed and delivered the letter of President Fillmore to the Emperor of Japan on July 4, 1852. I paid a visit to this spot, Kurushima Bay in October, but I found it by the natural scenery alone. It is desolate and neglected, not a mark of any kind to denote its historic value. A very powerful association the Society of America's Friends, of which Baron Kuroko the Minister of the Judicial Department, is president, and the members were all educated in the United States to whom I made my first address on the subject, informed me strongly, and by unanimous vote assumed the task as its own. Several powerful societies, e. g. the Asiatic, the Welcome, the Literary and others have by resolutions extended to the America's Friends offer of co-operation. The press, both Japanese and foreign, and all Americans give the idea most enthusiastic support, and I feel now匡antine that my object will be accomplished and the historical spot will come to be marked."

GRAND JURY SUBMITS ITS FINAL REPORT AND IS DISCHARGED.

(From Wednesday's Daily.)

THE GRAND JURY, of which E. Faxon Bishop was foreman, made its report yesterday as follows and was discharged:

Hon. A. S. Humphreys, First Judge, Circuit Court, First Judicial District, Territory of Hawaii.

Sir:—The Grand Jury empanelled and sworn before you on the 4th of February current, have concluded their duties and beg to render the following final report:

Fifty-five cases have been brought before this jury by the Attorney General's Department resulting in the finding of true bills in thirty-one cases, no action taken in two cases, and no bills in twenty-two cases as shown by the clerk's record of our proceedings marked Exhibit "D," and attached hereto.

We have made investigation in accordance with your honor's charge, as the following will show:

INSANE ASYLUM.

The Grand Jury have visited the Institution and inspected the entire premises and the buildings in use. The total number of patients at the present time in the asylum is 130.

The building known as Ward No. 2 is in a very bad condition and quite beyond repair. The other buildings are in a fair condition, although Ward 6 is a building erected for some other purpose, but pressed into service owing to the want of room.

The water-closet accommodations at the asylum are of the most primitive order, being nothing more or less than old fashioned privies with open vaults and it may be said in passing that if the authorities would exercise the same care in this respect that they exact from individuals and tax payers as to sanitary plumbing, no comment would be necessary.

The Grand Jury ascertain that an appropriation of \$30,000 was made by the Council of State in the early part of 1900, from current funds, for new buildings at the asylum, and if this amount were available, adequate quarters could be provided in frame structures, but unfortunately the funds of the Government have been so depleted by reason of the plague and other causes, that no funds are available for this purpose.

At the present time the woman's ward is made to accommodate thirty-one persons, while there are rooms for but nineteen, hence the necessity of putting two patients in one room, which is most undesirable.

The woman's ward should also have facilities for washing clothes. All or the wards should be fitted with some automatic device whereby all the cells or rooms can be thrown open at once in case of fire. This can now be done in the woman's ward, but in none of the others.

The Grand Jury specially condemns and severely criticize the action of the authorities in establishing the stone blasting and crushing plant within say 100 yards of the asylum building, and upon land set aside as the asylum reservation, and it seems strange and remarkable that whoever is responsible for selecting this location for the purpose named, did not immediately see that it would be most undesirable for the unfortunate inmates of the asylum.

The Grand Jury believe it is generally an accepted fact that what is most needed by the insane is absolute rest and quiet, and this Jury can testify that the continual roar of the stone crusher is most trying (lasting as it does through the entire day) to the ordinary person, while the blasting that is done at intervals is always startling, and must be terrifying to persons suffering from aberrations of the mind.

In our opinion the stone crushing plant should be peremptorily removed from the vicinity, even at a large cost and much trouble, as we believe that the unfortunate of the asylum are entitled to every possible chance, facility and remedy to recover, which we believe they denied them in a large measure so long as the roar of the stone crusher and explosion in blasting are continued in the immediate vicinity.

This Grand Jury believe that more recoveries would be made were the Government to employ a resident physician, a specialist if possible, whose entire time could be given to the study and treatment of the inmates of the asylum. This belief is founded on the fact that all State and Territorial asylums have a resident physician, and as being logical argument. Much would depend upon the person selected to fill such a position. Dr. Herbert's administration of Superintendent of the Asylum is most efficient and praiseworthy, and it could easily be possible to have a "resident" less satisfactory in results and management than the present non-resident superintendent.

It is true that with the class of inmates to be and at present handled at the asylum, the physician in charge is handicapped as compared with the institutions of the kind elsewhere in the United States. Antecedents, family history and the questions of heredity are facts absolutely unascertainable in 90 per cent of the people who inmate our asylum—a cosmopolitan throng of unfortunates unknown to any one up to the day they come up to claim public wardship on account of their deplorable condition, many of whom are unable to make themselves understood in English.

The Grand Jury believe and recommend that there should be a half-way station between the committing magistrate and the wards of the asylum, and heartily concur in the recommendation of the Superintendent, Dr. Herbert, that a receiving-house be established where new comers can be held in probation until it is established beyond doubt that the person is indeed insane before being subjected to the strain of surroundings in the asylum itself. There is ample room, and sufficiently remote, on the asylum reservation for such a receiving station.

The system of records, the care of patients, cleanliness of both wards and cooking department are all matters which this Grand Jury can recommend as being well conducted at the asylum.

What is absolutely needed is:

(1) A new ward in place of the present wards 2 and 6.

(2) Sanitary plumbing in closets and sinks.

(3) A creation of the stone crusher nuisance.

(4) A wing addition to the woman's ward, so that no two patients need be confined together.

(5) The automatic unlocking device for emergency use.

(6) A high 10-foot board fence on the manka side of the premises with a 12-foot picket fence on the other bounds.

REFORMATORY SCHOOL.

This was visited on the 15th instant.

where we found thirty-six boy inmates, about ten of whom had been sentenced for truancy.

The boys are turned out at 5 a. m. in summer, and at 6 a. m. in winter, their time being occupied until 9 a. m. in making beds, sweeping and doing the cooking for the day. No cooks are employed.

The school hours are from 8 a. m. to 2 p. m. with half an hour for lunch, the instruction in the class-room being given by one tutor employed by the Board of Education.

In the matter of manual training we find that three shops have been started; harness and saddlery, tinsmith and carpenter-shop, the latter being the only one in use at the present time; the harness and tinsmith being closed for the want of instructors.

In the carpenter-shop we saw some very creditable specimens of work, consisting of desks, tables, etc., the instructor informing us that they were the entire handiwork of the pupils. Here are also made many boxes, or chests for the Board of Education, for use in the various schoolhouses throughout the Islands.

The manner of cooking we found decidedly primitive; a brick furnace with sheet-iron top and a "farmer's kettle" for soup, etc.

The dormitories we found kept in a neat and orderly manner, but here we found a matter to condemn, viz: the absence of sanitary closets. To take the place of these were open pans or buckets to receive the excreta, which must be carried downstairs in the morning, contents removed, and containers cleaned.

We strongly recommended a proper cesspool, with water closets, or at least some sort of dry earth system, also, the same convenience for the sick ward.

We do not find any system of rewards for good behavior, giving some incentive toward reform.

We find that the lands set apart for the school have been so encroached upon for the uses of public schools, etc., that there is no opportunity for agriculture being taught or practiced. The superintendent, after fourteen years of experience and careful attention, is strongly in favor of a location for the school where fifty or more acres of land might be obtained for cultivation, believing that with a good farm the school could be made nearly, if not quite, self-supporting.

We cordially commend the superintendence of Mr. Needham, which superintendence has been carried on under many difficulties, owing to the lack of funds or appropriations, even the paltry sum of \$500 given for the erection of harness and tinsmith, not being of present use owing to the lack of instructors, as above mentioned.

The Grand Jury disapprove of the present system of committing boys to the Reform School for trivial offenses, such as truancy, disobedience, etc., where the comparatively innocent are thrown among really bad characters. We disapprove also of boys being committed for short terms of ten days, one month and similar short periods. This makes the Reform School a jail for youthful miscreants, which we believe is not the intention in a reformatory school. We believe that a truant school would be a remedy for this feature, where boys sentenced for short terms and trivial offenses could be held and disciplined for the period of their sentence.

OAHU PRISON.

This Jury have nothing but commendation for the conditions as they exist at the prison, where discipline and scrupulous cleanliness appear to be most efficiently maintained. Separate quarters should be provided for prisoners held under committal for trial, as at present, they are, for want of room, confined in the same yard with convicted criminals.

This Jury believe and recommends that the photographs of political prisoners under the Republic of Hawaii, and the Provisional Government, should be removed from the archives of the prison, commonly termed the "Rogues' Gallery."

PROSTITUTION AND IWILEI.

Complying with the charge of the court, the Grand Jury has made two visits to Iwilei, and ascertained the following facts.

There is but one corral or enclosure used as a refuge for prostitutes, the land belong to John Ena, Esq., and leased by him to Ching Lum and Leong Cheau, who sub-let the premises to Masuda, who controls, at present, the premises under his lease.

The place is managed by Mr. Kanematsu and Mr. Eugene O'Sullivan, in behalf of the lessee, Mr. Masuda.

Mr. Ena receives as ground rental from Ching Lum and Leong Cheau, \$900 annually.

Ching Lum and Leong Cheau receive a bonus of \$9,000 from T. Masuda for a lease of the property occupied by the corral, and Mr. Masuda also pays them a ground rental of \$900 per annum. There are five buildings on the premises, containing 225 rooms, and the rooms are rented by Mr. Masuda or his managers, Mr. Kanematsu, or Mr. O'Sullivan, at from \$12 to \$15 a month.

There is no evidence that any other property at Iwilei is used for immoral purposes.

A tenement house establishment, say one-eighth of a mile away, on the Ewa side of the corral, was at one time intended being used for similar purposes, but at the present time it is used as a tenement only, although no doubt, many of the prostitute class live at this place, carrying on their business at night in the corral proper.

This tenement house property is under the control of the Honolulu Investment Company, under lease from John Ena, Esq.

On Saturday night, February 16th, rooms were occupied within the corral by 148 women, 11 of whom were French women, the rest Japanese, all of whom are registered under the Act to Mitigate.

A policeman is detailed by the High Sheriff to preserve order within the corral, which is the extent of police supervision. Supervision by the Board of Health is confined to examinations weekly by a medical man, and a segregation of those who are found in an unhealthy condition. These latter are required to go under treatment, and to suspend occupancy of the quarters at Iwilei corral.

This Jury has been unable to verify that any Government officer or bureau receive any fee, make charges of any nature, or issue licenses for prostitution, the published statements of various parties to the contrary notwithstanding.

The condition of the premises, and management of the place is, in the opinion of this Jury, as satisfactory as it is possible for a place of the kind to be. The location is isolated, and so far remote from the city that the evils of prostitution are now probably confined to this locality instead of being distributed about the city. It is perhaps, not out of place to state here that Mr. Ena, owner of the Iwilei property, leased the same long prior to the place being sought for its present use, and he claims that under the terms of his lease, he has no control of the property, and cannot restrict the uses made of it.

During the visits of the Jury to Iwilei, no children were seen within the enclosure, and the police officer stationed there stated that no children were allowed therein. This jury is unable to agree upon any indictment

owing to conditions that exist at Iwilei.

EMPLOYMENT OF MINORS IN SALLOONS.

The Grand Jury ascertain upon sworn evidence that minors are employed in the saloons of the city of Honolulu.

INVESTIGATION OF HONOLULU POLICE COURT CLERK'S ACCOUNTS.

This Grand Jury have in obedience with your honor's charge, made a careful investigation of the system of accounts kept at the Honolulu police court, and have employed expert assistance in making an examination of the accounts.

We have ascertained from an abstract from the records, verified by vouchers, that all costs in criminal cases under appeal to the Circuit Court, have been fully paid over to the Circuit Court in the final sum of \$120.90.

CIVIL CASES. APPEAL COSTS.—The Grand Jury ascertain that the sum of \$309.20, costs of appeal in civil cases pending in the Honolulu police court prior to transferring the civil cases to the Second District Court, should be in the hands of the clerk, same not having been paid over to the clerk of the Circuit Court.

Judge Wilcox has testified before this Grand Jury that he has this amount in his safe, it being the custom of the clerk to pay into his hands all receipts of cash.

In the matter of balances due attorneys, being amounts of deposits in excess of costs of court, this Grand Jury finds great difficulty, and an endless amount of work imminent, in order to get an accurate statement of the standing of this part of the police court clerk's accounts.

The examination of this matter has gone back to February, 1897, since when balances due attorneys have accumulated, amounting to \$780.10, and balances due from attorneys, being amount of costs in excess of deposits, have accrued in the sum of \$130.80, as shown by statement hereto attached, covering twenty-one pages of type-written matter, and marked "Exhibit C." How much of this sum of \$780.10 has been paid to the attorneys by Clerk Zablan the Grand Jury does not know, and it can only be ascertained by a checking of his receipts, which would consume several weeks' time, as the clerk of the court is at present overworked, and can only give a small part of his time daily to this work, and in any case, we believe it would require more time than is available during the present court term.

Moreover, it is within the right of any attorney to demand a settlement, so far as he may be interested in these balances, and a refusal to settle same would be sufficient excuse for such attorney to file proceedings against the clerk for misappropriation of funds, and we believe this course preferable to any apparent procedure open to the Grand Jury.

The Grand Jury have found no evidence of embezzlement or defalcation in their investigation of the police court accounts, but there is an absolute absence of system in the keeping of accounts of the court. No cash-book or ledger is kept, and the money paid in is noted on the record of the case to which it pertains, and an offsetting memorandum made when the money is sent up to the Circuit Court, or otherwise disposed of.

As stated above, all moneys paid the clerk, and for which he gives receipt, are delivered by him to the judge, from whom he gets no receipt. This, of itself, is a very loose and dangerous practice.

This Grand Jury believe and recommend that the proper authority should insist that a proper set of books—a cashbook and ledger—be kept at the police court, and be subject to periodical investigation of, and verification by the auditor. By so doing, accounts can be kept showing at a glance, the cash on hand, the standing of the various attorneys' accounts, and the funds awaiting payment to the Circuit Court. It is within the knowledge of this jury that a predecessor of the present police court clerk was tried for embezzlement, the question at issue being payments between the judge and the clerk, and this fact, of itself, should have been sufficient to bring about a reform.

The Grand Jury feel justified in censuring Judge Wilcox for permitting the present unsystematic and loose methods in his court. We believe, being the direct superior of Clerk Zablan, and so long as these methods are allowed to exist, just so long will the investigations of a Grand Jury and a possible indictment be imminent to him and his clerk. There is ample evidence that Clerk Zablan has more work to do than can be reasonably and properly done by one man, and the Grand Jury is quite satisfied that in order to inaugurate the reforms suggested in book-keeping, more help will be necessary. The desire of getting appeal cases up to the Circuit Court appears to us to be due to want of time for the police court clerk to prepare the same. In one or two instances, when the transcripts have been prepared by the attorney in the case, or others, there has been further delay than is excusable, but we believe that more help would obviate the annoyance caused by those delays.

The Grand Jury submit herewith the following exhibits: "A," "B," "C," expert's reports on police court's accounts; "D" clerk's record of the proceedings of the Grand Jury.

In closing their report the Grand Jury desire to express their appreciation of the courtesy and assistance rendered by the Deputy Attorney General, Mr. John W. Cathcart. Respectfully submitted,

E. F. BISHOP, Foreman,
C. J. CAMPBELL,
I. F. SOULE,
JAS. GORDON SPENCER,
S. B. ROSE,
ARTHUR L. LAMB,
F. J. KING,
H. A. PARMALEE,
D. S. UNAUNA,
WILLIAM AULD,
JOHN D. HOLT,
ABRAHAM FERNANDEZ,
SAMUEL NEWBEN.

SUPPLEMENTAL REPORT

To the Honorable Circuit Court of the First Circuit, Territory of Hawaii—February Term, 1901.

The Grand Jury respectfully report that no bills of indictment were found in the following cases:

Territory of Hawaii vs. Eugene Souza, malicious injury. Territory of Hawaii vs. Frank Turk, malicious injury. Territory of Hawaii vs. Kahela, malicious injury. Territory of Hawaii vs. O'Shea, malicious injury. Territory of Hawaii vs. Kaauwai, second degree. Territory of Hawaii vs. Frank Santos, embezzlement. Territory of Hawaii vs. C. M. Catterlin, assault with weapon.

And that no action was taken in the case of the Territory vs. Lopes and Waiala, charged with larceny in the second degree, committed on the Island of Kauai, as the Grand Jury was advised that it had no jurisdiction to investigate crimes committed in other circuits.

No action was taken in the case of the Territory vs. Vincente Vala Lestro,

charged with assault with a deadly weapon, for the reason that no witness appeared before the Grand Jury. One witness could not be found, the other

HOW THE BOTTLE WAS SMASHED.

A bad place to carry a bottle, and almost sure to end in disaster.

And so it proved in the case of Mrs. Jones' little girl. You see, her mother had sent the child to the shop of Mr. Ayres, the chemist, for a bottle of medicine, and when he had given it to her she put it inside of her closed umbrella to carry home.

On her way back it began to rain and the child thoughtlessly raised the umbrella. Half the contents of the bottle was saved, and the mother was obliged to make the best of it.

Writing under date of Nov 27th, 1899,

the lady says: "About four years ago

come Christmas I became bad with

what I can only describe as a nasty,

low, weak feeling. I was so weak that

when I wanted to move from one place

to another in the room I had to go hand

over hand around the tables and chairs.

"This was so aggravating and I really

was so feeble that I often felt like

throwing myself down, only I knew I

ANGRY WORDS IN THE SENATE AND ADJOURNMENT PREVENTS A ROW

Resolution
Cause of
Fight.
FOR STATE
OF HAWAII

Representatives Argue Long Concerning
Chinatown—Notice of Many
Bills is Given.

(From Wednesday's Daily)

FROM the moment of the introduction of Senator Achli's resolution shortly after the Senate convened yesterday morning the Republicans and Independents were at swords points with each other and the debates on each side evidenced much of the bitter party feeling which is being engendered in the Senate.

Metaphors were indulged in and comparisons between the Territory and a new born babe were plentiful. A few futile attempts were made to prevent the trouble which was brewing but without avail. The chair was charged by two of the Senators with showing a partisan feeling in his rulings, and at the close of the afternoon session blows were only averted by a narrow margin.

The final scenes were precipitated by Senator Cecil Brown in his argument relative to petitioning the United States to admit the Territory as a state.

Following is the complete text of the argument taken from the notes of the stenographer of the Senate.

MR. CECIL BROWN.—"I understand that the ruling of the chair has been that the matter before the House now is the rejection of this bill, or what amounts to a rejection—an indefinite postponement—and that it be laid on the table or indefinitely postponed."

"I shall not say anything about the ruling of the chair, whether correct or not, but I want to point out to the Senators this fact, that if the majority of this House is willing to refer this matter to a committee, they will then have to vote against the rejection of the resolution, for if they do that the next motion in order will be to refer it to a committee."

"In this particular instance it makes no difference which way the president has ruled, but if the majority say this will be referred to a committee, then the vote will be not to reject. And if, as Senator Kalauokalani has said that he thinks this is too early in the session to introduce a resolution of this kind, then I say that the only thing to do is to refer it to a committee and they can hold it until such time as in the opinion of the majority of this House the time is ripe that it can be introduced; but I say not to throw it out of that door and as much as tell the president is entitled to vote on ayes and noes."

CARTER.—"I rise to a point of order. The president has no such authority."

BROWN.—"I appeal from the ruling of the president. I want to know what is the use of appealing in a question like this, where, as I claim, it is a violation of the rule?"

PRESIDENT RUSSEL.—"You cannot. The chair has decided that the president is entitled to vote on ayes and noes."

CARTER.—"I rise to a point of order. The president has no such authority."

BROWN.—"Then I appeal."

PRESIDENT RUSSEL.—"The question is before the House whether the House will sustain the chair in the chair's ruling that the chair has a right to vote in ayes and noes."

MR. C. BROWN.—"On all questions?"

THE PRESIDENT.—"On all questions."

MR. C. BROWN.—"I rise to a point of order."

MR. WHITE.—"Who has the floor?"

MR. C. BROWN.—"I rise to a point of order and under our rules when a point of order is raised that party has to take his seat until the point of order is stated."

PRESIDENT RUSSEL.—"I call you to order, Senator Brown."

BROWN.—"I think I have a right to state my point of order."

There was great confusion here, during which the president ordered the sergeant-at-arms to remove Senator Brown from the chamber. The officer advanced to execute the order of the president. Mr. Brown loudly exclaimed "Don't you touch me" amid a clamor of voices.

The president said "Then take your seat, Cecil Brown."

BROWN.—"That is my point. When a point of order is raised there is no debate, and when I take an appeal from the president's decision the president must do that, that is my point of order."

Baldwin spoke at some length supporting the arguments advanced by Cecil Brown.

Kanuha moved that inasmuch as the resolution was a very important one, that it be referred to a committee. Kalauokalani took the floor and said that he realized that the matter was one of very great interest and compared the Territory of Hawaii to a new-born babe, and the trouble arose from its desire to become a man at one leap. He thought the measure premature and advised the adoption of such measures as municipal and county laws. All of this was provided for in the Organic Act, and the end of the session would be ample time to discuss the subject in hand.

Senator Baldwin did not think that there was any desire to force the measure upon the Senate, and thought that reference to a committee would be the easiest way out of it.

Carter Achli and White had a lively debate on the rules, and as little headway was being made, White at last proposed adjournment until 1:30 o'clock and the motion carried.

PRESIDENT RUSSEL.—"This is a question for the House to consider."

CECIL BROWN.—"That is what was done."

PRESIDENT RUSSEL.—"The only original copy is in the printers' hands."

WHITE.—"I move we adjourn."

CARTER.—"I rise to a point of order. If we have no rules and the only copy is in the printers' hands, I move we adjourn."

CECIL BROWN.—"Under the rules here the president has no right to vote except the question is a tie or where the vote is by ballot."

PRESIDENT RUSSEL.—"Show us the name of Kalauokalani."

Cecil Brown here read rule 45 of the rules and regulations of the Senate. Continuing, he said: "You voted before it had appeared to the Senate that there was a tie. You claimed it as a right under the rules. You only have the right to vote when it is a tie or when the vote is by ballot."

PRESIDENT RUSSEL.—"I think you are mistaken. I put a special question whether ayes and noes are included in the ballot and it was so decided."

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The secretary produced the original copy of rules at the request of the president.



THE DAY IN THE HOUSE.

PRESIDENT RUSSEL.—"Will you please find out rule from the original copy, especially in regard to that point?"

BROWN.—"It is rule 53 here in this copy, and under the new rules it would be No. 45."

Mr. Brown read the above rule as to methods of ascertaining the decision of the Senate upon any matter. Continuing, he said: "There is another portion of our rules where there is a provision that the president only vote when the vote is by ballot. What the number is I cannot remember at present."

PRESIDENT RUSSEL.—"We are losing too much time, Senator Cecil Brown."

CECIL BROWN.—"I do not care if we are losing one hundred hours—as long as I am right I will stay here and talk until I get black and blue in the face."

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SHARP DEBATE IN THE SENATE

IT WAS nearly 11 o'clock yesterday morning before the Senate was called to order with Senator Carter absent. A communication from the Lower House was read by the secretary accompanying House Bill No. 1, which passed that body yesterday. Cecil Brown moved that the bill be returned for the proper certification.



THERE was an ominous silence in the House of Representatives yesterday morning when the speaker struck his gavel upon the table to open the tenth day's session. There were few of the whispered conversations which usually mark the beginning of each day's work. Each Representative seemed to have weighty matters on his mind and papers upon his desk were attentively studied. Now and then the rasping sound of a new pen as it scratched uncertainly across the page of a document could be heard, and there was everything to indicate that something would "pop." The reading of the journal by the clerk did not attract much attention. Upon mo-

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Clarke's Blood Mixture is sold in bottles, 24¢ each, and in cases containing six times the quantity. Is sufficient to effect a permanent cure in the great majority of long-standing cases. By ALL CHEMISTS AND PATENT MEDICINE VENDORS throughout the world. Proprietors, THE LINCOLN AND MIDLAND COUNTIES DRUG COMPANY, Lincoln, England. Trade mark—"BLOOD MIXTURE."

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CAUTION.—Purchasers of Clarke's Blood Mixture should see that they get the genuine article. Worthless imitations and substitutes are being sold by unprincipled vendors. The words, "Lincoln and Midland Counties Drug Company, Lincoln, England," are engraved on the Government stamp, and "Clarke's World Famed Blood Mixture" is printed in the bottle. WITHOUT WHICH NONE ARE GENUINE.

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The New England Mutual Life Insurance Co. of Boston.

The Aetna Fire Insurance Co. of Hartford, Conn.

The Alliance Assurance Co. of London.

— NEW

YESTERDAY WAS PEACEFUL IN THE LEGISLATURE

(Continued from Page 2.)

clerk instructed to put the question to the Superintendent of Public Works.

Gillilan moved that House bill 4 be read for the second time. He was ruled out of order, as the House was then considering resolutions.

Emmeluth gave notice of a bill he would introduce on March 16, entitled "An act to amend section 2 of act 23 of the Laws of the Republic of Hawaii, session 1896," to provide for compensation for property condemned for street widening.

The order of the day, House bill 2, was then taken up. It was read by title for the second time. It was to appropriate money to repair damages incurred in the last storm. It was referred to the committee on public lands.

Bill 3 was then brought before the House. Robertson moved it be considered section by section, which carried.

This was an act relating to the jurisdiction of circuit judge at chambers in matters concerning the relation of guardian and ward; and amending section 1267 of the Civil Code and section 25 of chapter 57 of the Session Laws of 1892, as amended by act 56 of the Session Laws of 1898. The report of the judiciary committee was read with the two sections.

Makekau asked the maker of the bill to explain why the changes should be made. Dickey said Makekau was out of order, as there was no motion before the House. The speaker asked that the second section be read again. On the call for a vote Kanihu as usual waited until he saw how the vote was going and then chidishly raised his hand when the contrary vote was called. The three sections were passed, followed by the passage of the enacting clause. Robertson asked that the bill be typewritten and read on Friday. Mahoe went him one better and moved the bill be engrossed. The speaker said there was no rule for engrossing and ruled Mahoe out of order. Robertson's motion passed and the bill was placed on the order of day for Friday.

House bill 4 was read for the second time. This provided for compensation for losses incurred in the bubonic plague fire.

Emmeluth moved that House bill 4 be referred to a special committee with instructions to report to the House their findings and recommendations thereon; that said committee be and is hereby directed to bring in a companion bill providing for the payment of all claims immediately after the same shall be determined under the provisions of House bill 4.

Makekau was strongly in favor of adopting the first paragraph of the motion, but objected to the second. The House was just considering bill 4. It was not proper to empower the committee to bring in a new bill.

Emmeluth arose to reply that on January 28, 1890, the fire in Chinatown took place and the people who incurred losses are still waiting for compensation. They will wait until kingdom comes if bill 4 is passed. He was surprised at Makekau getting upon the floor of the House and make such a ridiculous statement. He, himself, would not vote for the bill before a committee had investigated the fire claims and he did not think others would.

Tuesday, Makekau was on the floor combatting on the "rich and poor" arguments and he wondered why at the present time he should oppose himself a day afterward. He said Makekau had said he was in favor of the committee on fire claims, one of whom should be appointed by the Governor. Makekau arose and said he hadn't said the things attributed to him by Emmeluth. He took back that part of his statement, but he was satisfied that Governor Dole, who showed so little backbone at the time of the first fire claims commission, should have a right to appoint anyone on that committee. Makekau then angrily jumped to his feet and asked that Emmeluth be ruled out of order.

Emmeluth continued. He did not care by what means the result was brought, but he refused to vote on bill 4 until a companion bill had been brought in authorizing the appointment of a committee to investigate the fire claims.

Dickey believed the motion of Emmeluth was in order. A new office in the Government was created by bill 4 whereby \$30,000 was to be appropriated to run the office. The idea of the bill was to ascertain the proper claimants and the amount of their loss in the burned district. As the bill stood there was no provision made for awarding damages except by order of the court. At present the bill only provided for hungry office-seekers—for three commissioners, clerk, stenographer, interpreter, etc.

It created a court of claims for practically two years. Bill 4 did not satisfy the wishes of the House. The Emmeluth motion was in order. It was evidently proper that a new bill to provide for the payment of fire awards should be introduced.

Robertson said Emmeluth was right in some ways. However, it seemed to him that the new bill asked for was quite distinct. The companion bill was a matter of finance and should not be absolutely associated with the bill creating the fire claims commission. Various methods had been suggested for the payment of these claims. Some said to issue bonds. This could not be done by virtue of the limitations placed upon the borrowing of the Territory. A special tax could be levied for the payment of the claims. He did not see any occasion for appointing a special committee. This was one of the most important matters before the House and with only two members on that committee he did not believe the best results would be obtained. By submitting it to a standing committee it would have the benefit of investigation by five members. He moved that the matter be referred to the judiciary committee.

Emmeluth thought that the better course and withdrew his motion with the consent of his second.

Robertson's motion passed.

Dickey asked that the rules be suspended in order that Robertson could introduce a resolution on ways and means to pay the plague bills. The same was read and adopted as follows:

"Resolved, that the committee on Finance be requested to forthwith take up the consideration of the matter of the ways and means of paying claims referred to in House bill 4, and that they submit a bill or bills to provide such ways and means."

The House then took a recess until 2 o'clock.

AFTERNOON SESSION.

The afternoon session opened slowly. There was a bare quorum present at 3 o'clock, and the Speaker called in vain on the order of the day for House bills 5, 7 and 8, the various authors being absent.

Kanihu asked to have the last named bill read by title for the second time. Makaihau said the bill had been referred to the Committee on Education and there was no report. Beckley volunteered the information that the bill had not reached that committee, and upon motion it was referred to that committee.

The Speaker said that the bill was not correctly translated and therefore the clerk had not referred it, according to the will of the House. Prendergast asked for a reconsideration, and the bill was finally referred to the Committee on Education.

Bill 5 was again called up for a second reading. Robertson moved it be considered section by section, which passed. The bill related to guardianship. The report of the Committee on Judiciary was read, which favored the passage of the bill as read.

The bill was adopted on its second reading by the three sections and the enacting clause. Upon motion of Robertson, the bill will be typewritten and read for the third time tomorrow.

House bill 7, introduced by Hooga, was brought up for second reading. This bill relates to the placing of electric wires in the streets. Hooga moved it be referred to the Committee on Public Lands and Internal Improvements.

Robertson, who came in after the order of the day had been called, grew anxious about bill 6, which related to the sale of real estate by guardians. The Speaker asked that it be given its second reading. The Judiciary Committee recommended in its report that the bill be passed.

Kanihu wanted the introducer of the bill to explain why the former sections should be repealed. Robertson said he was willing but thought he would be ruled out of order if he made the attempt. Kanihu persisted that he should have more information, and waved his copy of the bill menacingly toward Robertson. The latter sent for a copy of the Civil Code and then proceeded to dispose of Kanihu with such a flow of legal phraseology that Kanihu became bewildered and wore a look upon his face as if he wondered what sort of a mess he had stirred up. However, having gained his point and started Robertson on a long speech, he delved into a mass of papers on his desk, and listened to but little of the explanation. Upon motion of Robertson, the bill passed its second reading, and, after being typewritten will be read for the third time tomorrow.

Dickey asked to be allowed to introduce a bill, but was told to sit down, as the House was then in the midst of the reading of bills under the order of the day.

House bill 10 was next considered for its second reading. This was an Act to amend section 30 of chapter LVII of the Session Laws of 1892. The bill provides that the Circuit Court shall consist of three Judges, to be styled First, Second and Third Judges respectively, either of whom may hold court. The Judiciary Committee recommended that the bill pass.

Robertson said the law at the present time provided for only two Judges and that there is such an accumulation of business that the third Judge is necessary to clear the dockets. The appointment would have to be made by President McKinley, as the salary is paid by Congress.

It is stated that District Magistrate Lyle A. Dickey is a candidate for this office.

Kanihu came up like a tumbling-jack as soon as Robertson finished his explanation. In his usual spirit of contrariness, he "couldn't see it" as Robertson and others did. He thought that the two Judges were sufficient and three Judges would make it an incumbrance upon the United States to pay the salary. The House enjoyed a good laugh at the expense of Kanihu.

Aletta disagreed with Kanihu. He thought the people of Hawaii knew their needs and the recommendation to Congress should be made. As children of the United States, the people of Hawaii had a right to appeal for a third Judge to Congress. There could not be as much trouble with the third Judge as without him. Upon motion the bill passed its second reading despite Kanihu's clownish endeavor to obstruct it. Upon motion of Robertson the bill will be typewritten and read for the third time tomorrow.

Robertson then called for the report of the committee on the petition of the fifty-three residents of Waialua who wished the United States quarantine laws abolished in Hawaii. The Committee of Public Health reported that the prayer of the petition was beyond the powers of the Legislature, and the petition should be rejected. Kanihu was a member of the committee and was for once in accord with his fellow-legislators.

Dickey moved that the report be adopted. The motion was carried and Mahoe's petition was rudely cast into utter darkness.

House bill 12 received consideration and was read by title. This was a bill to repeal certain obsolete laws. Robertson moved it be referred to the Committee on Judiciary.

House bill 12, an Act to Repeal Section 81 of the Civil Laws of 1897, Relating to the Publication of Delinquent Tax List, was upon motion of Haeho, referred to the Committee on Finance.

House bill 11 was read for the second time. This was an Act to abolish personal taxes and to repeal sections 807 and 808 of the Civil Code, etc., thereto. It was referred to the Finance Committee.

It was reported on several bills. Dickey referred to the rules and was to be a short turn by Prendergast, for the Committee on Finance.

Then had the rules suspended at 8 P.M. bill entitled "An Act to Mitigate the Rule and Protection," which was read for the first time and passed.

Speaker Akina then said he had a communication from the Senate which he would read while the rules were suspended. Dickey said the Speaker was out of order, that the rules were only suspended for a specific purpose.

The Speaker sat down, and Dickey then moved a suspension of the rules so that

the clerk read the letter which was as follows:

"I have the honor to advise you that House concurrent resolution No. 1, relating to committee to investigate the tax laws of this Territory, was this day passed by the Senate and referred to the Committee on Ways and Means, consisting of Senators A. Kanaka, H. Carter and S. B. Kauai, and by Senator Kauai, to act with such committee."

"EDGAR CAYLOR, Esq."

"Clerk of the Senate."

Kumala asked for a suspension of the rules to introduce a bill of which he had given notice. This related to provisions for sending youths abroad and on the Mainland to be educated. The bill was introduced and read by title for its first reading.

Dickey thought as new bills had been reported from the Printing Committee, the House could go on with more work on the bills presented in Prendergast's report. A member moved to adjourn, and the Speaker, evidently desiring to take a rest for the balance of the afternoon, promptly called for a vote. A few hands were raised in favor of adjourning, while the majority went up in protest. The Speaker declared the House adjourned. The was a chorus of protest and the Speaker smilingly assented to a second vote. This time he agained his point, as the majority voted with him, and an adjournment was taken until 10 o'clock this morning.

Prendergast's report was as follows:

Bill 14, "An Act to Prohibit the Board or Boards of Health or Health Officers or Officers From Condoning for Destruction Any Property Without Compensation"; House bill 15, "An Act to Amend Sections 872 and 873 of the Penal Laws of 1897"; and bill 21, "An Act to Provide That Only American Citizens and Qualified Voters of the Territory of Hawaii Shall Be Employed in Public Works"; and also bill 22, "An Act to Provide That Eight Hours Shall Constitute a Day's Work," and bill 27, "An Act to Abolish Personal Taxes," as already printed.

Kumala's bill for the adoption of the old Hawaiian flag as the Territorial emblem, was as follows:

"Be It Enacted by the Legislature of the Territory of Hawaii:

Section 1. That the former emblem of Hawaii, as the Hawaiian flag, be hereby adopted as the flag of the Territory of Hawaii, and its public use, second to the Stars and Stripes of the United States, be authorized to represent the Territory of Hawaii on land and sea.

See 2. This Act shall take effect from the date of publication.

• • •

ARE FOUR MEN LOST IN A BOAT?

Anxious women were making inquiries at the police station yesterday concerning the fate of husbands and sons. Four fishermen have disappeared nor has anything been heard of them since the 25th of last month. Never before have they been away upon fishing excursions about the Island for so long a time. Very rough weather has prevailed for the past few weeks and it is thought that perhaps the men have been lost somewhere between this port and Waimanalo, on the other side of this Island.

Their names are Manuel and John de Ponte, Antone de Costa and another man, name unknown.

Yesterday Mrs. Manuel de Ponte notified the police department of the fact that the men were missing and wanted to know if anything had been heard of them. Ten days ago, almost, they took a boat to go fishing to Waimanalo and nothing has been heard of them since that time. Her husband, the woman stated, made the same trip once before and was gone only two days. Japanese fishermen report having seen a boat upside down not far from Barber's Point, but nothing definite has been learned in connection with it.

• • •

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Robertson then called for the report of the committee on the petition of the fifty-three residents of Waialua who wished the United States quarantine laws abolished in Hawaii. The Committee of Public Health reported that the prayer of the petition was beyond the powers of the Legislature, and the petition should be rejected. Kanihu was a member of the committee and was for once in accord with his fellow-legislators.

Dickey moved that the report be adopted. The motion was carried and Mahoe's petition was rudely cast into utter darkness.

House bill 12 received consideration and was read by title. This was a bill to repeal certain obsolete laws. Robertson moved it be referred to the Committee on Judiciary.

House bill 12, an Act to Repeal Section 81 of the Civil Laws of 1897, Relating to the Publication of Delinquent Tax List, was upon motion of Haeho, referred to the Committee on Finance.

House bill 11 was read for the second time. This was an Act to abolish personal taxes and to repeal sections 807 and 808 of the Civil Code, etc., thereto. It was referred to the Finance Committee.

It was reported on several bills. Dickey referred to the rules and was to be a short turn by Prendergast, for the Committee on Finance.

Then had the rules suspended at 8 P.M. bill entitled "An Act to Mitigate the Rule and Protection," which was read for the first time and passed.

Speaker Akina then said he had a communication from the Senate which he would read while the rules were suspended. Dickey said the Speaker was out of order, that the rules were only suspended for a specific purpose.

The Speaker sat down, and Dickey then moved a suspension of the rules so that

the clerk read the letter which was as follows:

"I have the honor to advise you that House concurrent resolution No. 1, relating to committee to investigate the tax laws of this Territory, was this day passed by the Senate and referred to the Committee on Ways and Means, consisting of Senators A. Kanaka, H. Carter and S. B. Kauai, and by Senator Kauai, to act with such committee."

"EDGAR CAYLOR, Esq."

"Clerk of the Senate."

Kumala asked for a suspension of the rules to introduce a bill of which he had given notice. This related to provisions for sending youths abroad and on the Mainland to be educated. The bill was introduced and read by title for its first reading.

Dickey thought as new bills had been reported from the Printing Committee, the House could go on with more work on the bills presented in Prendergast's report. A member moved to adjourn, and the Speaker, evidently desiring to take a rest for the balance of the afternoon, promptly called for a vote. A few hands were raised in favor of adjourning, while the majority went up in protest. The Speaker declared the House adjourned. The was a chorus of protest and the Speaker smilingly assented to a second vote. This time he agained his point, as the majority voted with him, and an adjournment was taken until 10 o'clock this morning.

Prendergast's report was as follows:

Bill 14, "An Act to Prohibit the Board or Boards of Health or Health Officers or Officers From Condoning for Destruction Any Property Without Compensation"; House bill 15, "An Act to Amend Sections 872 and 873 of the Penal Laws of 1897"; and bill 21, "An Act to Provide That Only American Citizens and Qualified Voters of the Territory of Hawaii Shall Be Employed in Public Works"; and also bill 22, "An Act to Provide That Eight Hours Shall Constitute a Day's Work," and bill 27, "An Act to Abolish Personal Taxes," as already printed.

Kumala's bill for the adoption of the old Hawaiian flag as the Territorial emblem, was as follows:

"Be It Enacted by the Legislature of the Territory of Hawaii:

Section 1. That the former emblem of Hawaii, as the Hawaiian flag, be hereby adopted as the flag of the Territory of Hawaii, and its public use, second to the Stars and Stripes of the United States, be authorized to represent the Territory of Hawaii on land and sea.

See 2. This Act shall take effect from the date of publication.

• • •

The following petition from lepers on Molokai was read at a meeting of the Board of Health yesterday:

To Dr. J. M. Raymond, President, and Members of the Board of Health.

FAREWELL SAID.

THE following is the farewell editorial of Mrs. Helen W. Craft, editor of the *Humane Educator*, which for many months has been an admirable supporter of the Hawaiian Society for the Prevention of Cruelty to Animals. Mrs. Craft writes from Clayton, New Mexico, where she is for her health, and the *Humane Educator*, the last number of which was published yesterday, will be greatly missed by many.

"This will be the last issue of the *Humane Educator*. It is the twelfth number, completing the year. Though the paper and the movement it represents have been well supported in some quarters, there is not in the general public co-operation which it is felt should be given to such an enterprise. The work that failed to the duty of a humane society in Honolulu is no light burden, and the writer, after some ten years' efforts which it is her pleasure to know have saved many a dumb brute from ill-treatment, and which, it is hoped, have also helped to spread in our community the lessons of kindness in dealing with animals, intends now to lay aside the work and leave it to other hands.

"A few words as to the situation in Honolulu will not be amiss at this time.

"Honolulu has no Society for the Prevention of Cruelty to Animals. In this respect it is far behind other American cities of its size. While they have well supported organizations of large membership, which take the lead in looking after the enforcement of the laws regarding the treatment of animals, Honolulu has left the task to a few willing individuals, who have spent time, energy and money for years past, in the effort to see that the laws of civilization with regard to dumb brutes were properly enforced. A special officer has been kept at work of a salary, paid by the embryo society. He has had no money from the public treasury, and his salary has come out of a very few pockets. It remains to be seen whether the public of Honolulu will bestir themselves now that those who have carried on the work are withdrawing, and see that an officer is kept on duty and properly supported.

"Argument as to the need of a society is superfluous. We need only to refer to the annual report of our so-called society for 1900. It shows no less than 849 cases of ill-treatment of animals looked into by the officer employed during the year. The officer found 235 horses and mules in harness that were unfit for work and were being cruelly driven; in 144 cases we prevented the overloading of vehicles, or over-driving of the helpless animals attached to them, and in 67 cases he found it necessary to kill the animals to put them out of misery for which their owners had no sympathy.

"These figures should rouse some of our community to action. How many of us would stand by and see a helpless brute suffer at the hands of an inhuman owner and not lift a finger to interfere? Instinctive horror or cruelty of all kinds is almost universal in civilized mankind, and ninety-nine men out of every hundred are ready to come forward with indignant remonstrance, or even angry interference, when they see an unresisting animal put to needless or excessive pain. Yet what is the difference between passively shrugging the shoulders and passing by when a useless lash draws blood on the flanks of a horse to urge it to a task it cannot perform—perhaps, because the weight of its load drags against raw flesh on a sore shoulder—and calmly ignoring the facts because they are not presented to actual vision? The figures are before the public: the number of cases of cruelty to animals in Honolulu during 1900, there will be approximately 849 cases of cruelty in 1901. We can predict for any year the number of births and deaths in the country—one year is much like another. Shall the 849 dumb brutes that will be tortured in Honolulu this year have no one to make for them the protest they cannot make for themselves?

"Of course there are the police to look after the matter. But it is no reflection upon the police of Honolulu to say that a special officer, employed and backed by a humane society, is needed. In no city is the ordinary police force to be relied upon to do the work of a humane society, a fact which is sufficiently proved by the existence of so many such societies. The local police have well supported the work of our special officer. But in Honolulu, as in other cities, the ordinary policeman does not interfere with cruelty cases, except in rare instances. He is a patrolman keeping the peace and making arrests only when he sees flagrant violations of law.

"There is a field for noble work on the lines suggested, not only in Honolulu, but all over the Islands, and not merely for lovers of animals—there is an educational side to the question which is of vast importance. It has before been stated in these columns that humane education lowers criminal records. This is a truism that needs no repetition. It is an evident as that one crime leads to another—that tendencies of disposition, like muscles, grow harder and stronger through exercise. There is a story, told in every nursery, that the emperor Nero, as a boy, loved to amuse himself by killing flies. Taking the story as an illustration, perhaps if he had been turned to other amusements, the murder-loving side of his nature would have developed less.

"To friends and supporters, the *Humane Educator* gives thanks. It repeats its thanks to the high sheriff and the police department for their assistance, and earnestly hopes they will soon have a full-fledged Society for Prevention of Cruelty to Animals to support in the same way.

"MRS. HELEN W. CRAFT.

Clayton, New Mexico.

MEMORIAL TO THE LATE W. A. HENSHALL

Paul Neumann, A. A. Wilder and John C. Baird, a committee appointed to prepare a memorial on the death of W. A. Henshall, yesterday handed the following to Judge Ester, which was read and ordered spread on the records:

Ordered, that this court learns with profound regret of the sudden and tragic death of William A. Henshall, Esq., on February 22 last, and desires to place this order on record in testimony of respect for the memory of the deceased.

Mr. Henshall was an honored mem-

ber of the bar of this court and by his frankness and urbanity had merited and won the respect of all with whom he came in contact professionally. Being comparatively young in years, his friends had rightfully looked forward to the enjoyment by him of a long and successful career of honor and usefulness in the pursuit of his chosen profession. His untimely death casts a gloom over the entire community. To the bereaved widow and orphan are tendered the sincere condolences of his professional brethren who also prayerfully commend the sorrowing to the protecting care of Him who noteth even the fall of a sparrow.

This order will be spread in full upon the minutes of the court and a certified copy thereof be sent by the clerk to the widow of the deceased.

FAREWELL LUAU AT PAAUHAWA

(Special Correspondence.)

HONOKAA, Hawaii, Feb. 28.—A most enjoyable luau was given on February 28 to the officers of the Paaauhau Sugar Plantation Company and their families by Andrew Moore, the retiring manager. Not one feature was omitted to make the luau thoroughly representative of Hawaiian customs. It was a feast to taste to satisfy the appetite of a large number of persons present who had no previous knowledge of a luau. It was little short of a revelation. It would not be easy to imagine a more successful entertainment of its kind, and to attempt to improve upon it would certainly result in failure.

Mr. Moore prefaced the festivities in the following well-chosen words:

"Ladies and Gentlemen:—We are met together today to afford my wife and myself, with our children, an opportunity of being with you all under pleasant circumstances prior to our departure from the plantation.

"In many respects we regret having to leave you, having been isolated together, as we were, for so many years, but for several reasons I feel that duty calls us away."

"In our journeys we will probably be separated from you by long distances, still I hope that will not diminish the respect we feel for one another and which you have always shown to us.

"In the course of time we may, perhaps, have a longing to revisit this our home for so many years, when we shall hope to find you all prospering and as happy and contented under another manager as you are now.

"Let us all drink to this wish, and with aloha nui to all we ask you to enjoy the fine luau prepared for us."

The toast to the health and happiness of Mr. and Mrs. Moore was proposed by the head luna, Mr. de la Nux, and responded to with ringing hurrahs.

After the luau, singing and dancing were indulged in to the full of content, and the heart-stirring strains of "Auld Lang Syne" closed the day's mirth and pleasure.

But the "boys" had yet to get their work in, it was not to be all take and to give. They wanted the opportunity to give. They wanted the opportunity to home to their long-time manager the fact of their real regret at his enforced departure. And so on the evening of the day (February 27) prior to his departure, they had pleasure to make offer for his acceptance their gift of a silver loving cup, with the following inscription on the face:

"Presented to Andrew Moore, Esq., by the officers of the Paaauhau Sugar Plantation Company, Hamakua, Hawaii, H. I.—A token of their regard and esteem."

The presentation, witnessed by Mrs. Moore, Mrs. Gibb, wife of the new manager, and by all the other ladies of the plantation, was made by one of the old-time officers of the company who from personal experience was able to briefly review Mr. Moore's very successful career, to draw to mind those good times when 10,000 tons of sugar were the output; when 27,000 tons were the output for three years, and an average per acre of 54 tons from together 1,100 acres of plant cane and 800 acres of ratoons. Such a record, the speaker affirmed, while disclaiming comparison, has not been attained at any other plantation from Mahukona to Hilo.

Mr. Moore's reply was in his usual modest manner, expressive of his hearty appreciation and claiming for himself only that his watchword had been duty; that he had honestly tried—not always an easy task—to do his duty towards his employers, to himself and towards those officers and employees under his jurisdiction.

A pleasing incident to all present, especially to the officers of the company, was to see Mr. Gibbs stand forward as successor to Mr. Moore and hear him testify to the latter's well known reputation and frankly admit that in following after Mr. Moore he fully recognized he had no easy road to travel. Mr. Gibbs further expressed his personal pleasure to witness such cordial relations between Mr. Moore and his officers and trusted that the same good feelings would animate all in their relations with him. From the hearty way in which both Mr. and Mrs. Gibbs entered into the spirit of the evening there is ample reason for anticipating the continuance of pleasant relations and associations at Paaauhau.

The close of the evening in hearty expressions of good will was a fitting sequel to that previous most happy occasion when Mr. and Mrs. Moore were jointly presented with a silver dinner set to mark this little community's appreciation of their social merit and its regret at losing them.

Two Small Fires.

The fire department answered two alarms of fire yesterday afternoon. One was at Frank Krueger's place, corner of King and Pilkoi streets, an outhouse being burned. Damage nominal.

The second was in Palama, where a small Portuguese cottage was burned to the ground before the department reached the scene. The cottage was in the rear of the Ahio place. Nothing was saved of the contents as the tenants were absent when the fire occurred. It is not known how the blaze started.

FAITH IN LAND.

(From Wednesday's Daily.)

From a sugar plantation to a cattle ranch is somewhat of a descent to those who believe there is nothing better than dividend paying shares of a plantation, but the group of Honoluluans who have just purchased all the old property belonging at one time to the now defunct American Sugar Plantation at Kaunakakai, Molokai, have considerable faith in the cattle business as a paying venture. A. W. Carter, G. J. Waller, E. H. Wodehouse, E. A. Mott-Smith and John Ema, have just purchased 4,000 shares in the old sugar company, which gives them the control. Brewer & Co. sold the stock, and release not only the control of the property, but the agency as well.

The men who have bought the business intend to turn the entire plantation into a large cattle ranch with 4,000 head of cattle, and about 14,000 head of sheep to begin with. More will be added at intervals until it becomes one of the largest in the Islands. One of the men interested in the purchase said yesterday that there was sufficient water on the plantation, and pipes laid to supply any amount of live stock let loose on the premises. There is plenty of feed grass as well, and the promoters of the cattle ranch have no doubts whatever as to the business proving a productive one, and they point to the fact that cattle raising was originally conducted on the property. There are pumps and every facility to give the live stock all the water they need. Although too salt for raising cane, it is not a bad class of water for drinking purposes. The holdings of the American Sugar Company on Molokai consist of about 63,000 acres in fee, and 23,000 under lease. It is a vast area, and the cattle will have full liberty over it all.

It is stated that the shares will be put on the market at the par value of \$100 a share. At this figure the new cattle ranch starts in business with a capitalization of \$40,000. A meeting will be held this afternoon at 3 o'clock when officers of the new concern will be elected, and the articles of association adopted. The promoters of the enterprise are loth to give many details regarding the transaction, preferring to wait until after the meeting today before giving a complete story of the deal, and the company's plans for the future.

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